

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF DELAWARE**

KURT MORALES II, BRANDON  
CALLIER, and LUCAS HORTON,  
individually, and on behalf of all others  
similarly situated,

Plaintiffs,

v.

SUNPATH LTD., a Delaware corporation,  
and NORTHCOAST WARRANTY  
SERVICES, INC., a Delaware corporation,  
AMTRUST NORTH AMERICA, INC., a  
Delaware corporation, SING FOR SERVICE,  
LLC, a Delaware limited liability company,  
and PELICAN INVESTMENT HOLDINGS  
GROUP LLC, a Delaware limited liability  
company, ADVANCED AUTO SHEILD,  
INC., a Delaware corporation,

Defendants.

Case No.: 20-cv-1376-JLH

**MOTION FOR ENTRY OF DEFAULT**  
**AGAINST DEFENDANT SUNPATH, LTD.**

Pursuant to Local Rule 77.2(a)(4) and Fed. R. Civ. P. 55(a) of the Federal Rules of Civil Procedure, Plaintiff KURT MORALES II, BRANDON CALLIER, and LUCAS HORTON, (“Plaintiffs”) hereby file a motion for entry of default against Defendant Sunpath Ltd for failing to appear in response to the Court’s Order (D.I. 224). In support of this motion, Plaintiffs state the following:

On December 21, 2023 the Court granted the motion to withdraw filed by Sunpath’s counsel, Michael W. McDermott, David Anthony, Peter McGivney, and Berger McDermott, LLP. D.I. 224. Sunpath has no other representation. As a corporation, it is required to have an attorney of record. The Court allowed twenty-one (21) days for Sunpath to retain new counsel, stating that: “Sunpath Ltd. must obtain substitute counsel who must enter an appearance in this

case on or before January 11, 2024.” D.I. 224. Despite the Court’s Order, as of the date of this filing, the deadline to obtain new counsel has passed, and Sunpath Ltd. has failed to fulfill the Court’s requirement to have counsel enter their appearance.

WHEREFORE, Plaintiffs respectfully request that the motion be granted, and such other relief as the Court deems appropriate.

Dated: January 12, 2024

By: /s/ Michael J. Farnan  
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